

TM 1644

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.

MM4454

In Re Application Of: Jiro HITOMI, et al

FFB 27 2006

PATENT & TRADEMARK OFFICE
Application No.
09/910,208

Filing Date
07/20/01

Examiner
Maher M. Haddad

Customer No. 01109
Group Art Unit 1644
Confirmation No. 4894

Invention: NOVEL CALCIUM BINDING PROTEINS

COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

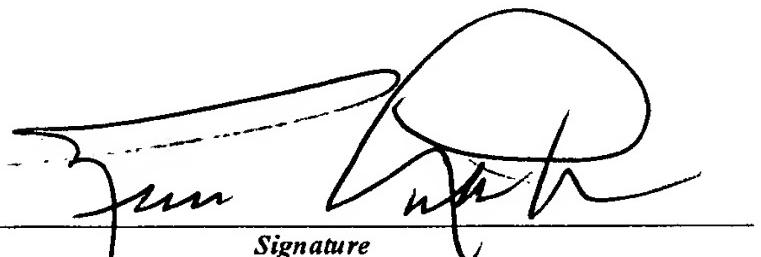
Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.



J. Lieberstein

Signature

Eugene Lieberstein
Reg. No. 24,645

Dated: February 23, 2006

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February 23, 2006

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61 P E

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
 FEB 27 2008
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

MM 4454

Re Application Of:

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/910,208	20 July 2001		01109	1644	4894

Title:

Address to:

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

- the statement specified in 37 CFR 1.97(e);

OR

- the fee set forth in 37 CFR 1.17(p).

TRANSMISSION OF INFORMATION DISCLOSURE STATEMENT
 (Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

MM 4454

PATENT & TRADEMARK OFFICE
 Re Application of:

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/910,208	20 July 2001		01109	1644	4894

Title:

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- A check in the amount of _____ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below.
 - Charge the amount of _____
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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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23 February 2006

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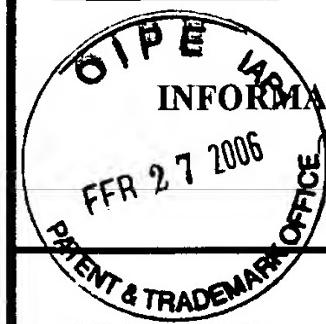
Signature of Person Mailing Correspondence

Margaret McGarry

Typed or Printed Name of Person Mailing Certificate

CC:

Dated: 23 February 2006



INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

MM4454

Application Number

09/910,208

Applicant(s)

Jiro Hitomi, et al

Filing Date

July 20, 2001

Group Art Unit

1644

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

		<p>The Journal of Biological Chemistry 267, p. 19379-19382 (1992)</p> <p>Biochem. J. 309, page 395-401 (1995) (not enclosed as already cited in US Office Action dated 17 March 2005)</p>
		<p>Biochemical and Biophysical Research Communications 225, 0. 146-150 (1996)</p> <p>Copy of Office Action citing Japanese application.</p>

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if

10 of 10

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